## REMARKS

This is meant to be a complete response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed May 10, 2001. In the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, it was noted that a copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). In addition, it was noted that the application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

In response to the Notice, the paper copy of the Sequence Listing filed with the application on January 31, 2001 was reviewed and determined to not comply with each and every provision of 37 CFR 1.822(d) and 1.823. Therefore, a substitute paper copy of the Sequence Listing has been provided herewith which is the same as the Sequence Listing previously submitted, except that the substitute Sequence Listing submitted herewith fully complies with each and every provision of 37 CFR 1.822(d) and 1.823. In particular, the substitute Sequence Listing contains a maximum of 16 amino acids per line, and the appropriate numeric identifiers and their accompanying information as

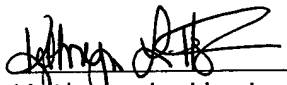
required by 37 CFR 1.823(b) are provided. The substitute Sequence Listing contains no new matter.

In addition, a copy of the Sequence Listing in computer readable form in accordance with 37 CFR 1.824 is also provided. The information recorded in computer readable form is identical to the substitute paper copy of the Sequence Listing submitted herewith, and is the same as the Sequence Listing originally filed on January 31, 2001, except that the computer readable form of the Sequence Listing submitted herewith fully complies with each and every provision of 37 CFR 1.822(d) and 1.823.

A request for a one month extension of time to reply to this Notice, as well as the fee required for such extension of time, is also being filed herewith.

Should the Examiner have any questions or comments concerning the before-mentioned amendments to the application or any other matter, Applicant's agent will welcome the opportunity to discuss same with the Examiner.

Respectfully submitted,



Kathryn L. Hester, Ph.D.
Registration No. 46,768
DUNLAP, CODDING & ROGERS, P.C.
9400 N. Broadway, Suite 420
Oklahoma City, Oklahoma 73114
(405) 478-5344

Agent for Applicant

## MARKED-UP VERSION OF THE CLAIMS SHOWING THE CHANGES MADE THERETO

1. (Once Amended) A [compound comprising:

a metal-peptide] complex formed by the chelation of a metal to a zinc finger peptide, the [metal-peptide] complex having a tertiary structure [enabling] and wherein said [metal-peptide] complex [to] can bind to a mammalian nucleic acid, wherein the metal is [not zinc, iron, cadmium or cobalt] a radionuclide selected from the group consisting of $^{62}Cu$, $^{64}Cu$ and $^{67}Cu$, wherein the zinc finger peptide has a metal binding site comprising amino acid residues selected from the group consisting of four cysteine residues, one histidine and three cysteine residues, and two cysteine and two histidine residues to which the metal is complexed, and wherein the zinc finger peptide comprises the formula:

$$(AA_{1-10}\text{-}X_1\text{-}AA_{1-4}\text{-}X_2\text{-}AA_{4-20}\text{-}X_3\text{-}AA_{1-5}\text{-}X_4\text{-}AA_{1-10})n$$

wherein $AA_{1-10}$ represents one to ten amino acid residues, $AA_{1-4}$ represents one to four amino acid residues, $AA_{4-20}$ represents four to twenty amino acid residues, and wherein $X_1$, $X_2$, $X_3$ and $X_4$ each represent a cysteine or a histidine residue.

2. (Once Amended) The [compound] complex of claim 1 wherein the [zinc finger peptide has a metal binding site comprising amino acid residues selected from the group consisting of four cysteine residues, one histidine and three cysteine residues, and two cysteine and two histidine residues to which the metal is complexed] complex is disposed within an acceptable carrier.

6. (Once Amended) A [compound comprising:

a metal-peptide] complex formed by the chelation of a metal atom to a zinc finger peptide, the [metal-peptide] complex having a tertiary structure [enabling] and wherein said [metal-peptide] complex [to] can bind to a mammalian nucleic acid, wherein the metal is selected from the group consisting of [indium, technetium, rhenium and ruthenium] $^{97}$Ru, $^{105}$Rh, $^{109}$Pd and $^{111}$In, wherein the zinc finger peptide has a metal binding site comprising amino acid residues selected from the group consisting of four cysteine residues, one histidine and three cysteine residues, and two cysteine and two histidine residues to which the metal is complexed, and wherein the zinc finger peptide comprises the formula:

$$(AA_{1-10}\text{-}X_1\text{-}AA_{1-4}\text{-}X_2\text{-}AA_{4-20}\text{-}X_3\text{-}AA_{1-5}\text{-}X_4\text{-}AA_{1-10})n$$

wherein $AA_{1-10}$ represents one to ten amino acid residues, $AA_{1-4}$ represents one to four amino acid residues, $AA_{4-20}$ represents four to twenty amino acid residues, and wherein $X_1$, $X_2$, $X_3$ and $X_4$ each represent a cysteine or a histidine residue.

7. (Once Amended) A [compound comprising:

a radionuclide-peptide] complex formed by the chelation of a radionuclide to a zinc finger peptide, the [radionuclide-peptide] complex having a tertiary structure [enabling] and wherein said [radionuclide-peptide] complex [to] can bind to a mammalian nucleic acid, wherein the radionuclide is [not zinc, iron, cadmium or cobalt] selected from the group consisting of $^{186}Re$, $^{188}Re$, $^{198}Au$ and $^{199}Au$, wherein the zinc finger peptide has a metal binding site comprising amino acid residues selected from the group consisting of four cysteine residues, one histidine and three cysteine residues, and two cysteine and two histidine residues to which the metal is complexed, and wherein the zinc finger peptide comprises the formula:

$$(AA_{1-10}\text{-}X_1\text{-}AA_{1-4}\text{-}X_2\text{-}AA_{4-20}\text{-}X_3\text{-}AA_{1-5}\text{-}X_4\text{-}AA_{1-10})n$$

wherein $AA_{1-10}$ represents one to ten amino acid residues, $AA_{1-4}$ represents one to four amino acid residues, $AA_{4-20}$ represents four to twenty amino acid residues, and wherein $X_1$, $X_2$, $X_3$ and $X_4$ each represent a cysteine or a histidine residue.

21. (Once Amended) A kit for use in preparing a [radiopharmaceutical] composition, comprising:

[a container having] an amount of a zinc finger peptide, [disposed therein; and] the zinc finger peptide having a metal binding site comprising amino acid residues selected from the group consisting of four cysteine residues, one histidine and three cysteine residues, and two cysteine and two histidine residues to which the metal is complexed, and wherein the zinc finger peptide comprises the formula:

$$(AA_{1-10}\text{-}X_1\text{-}AA_{1-4}\text{-}X_2\text{-}AA_{4-20}\text{-}X_3\text{-}AA_{1-5}\text{-}X_4\text{-}AA_{1-10})n$$

wherein $AA_{1-10}$ represents one to ten amino acid residues, $AA_{1-4}$ represents one to four amino acid residues, $AA_{4-20}$ represents four to twenty amino acid residues, and wherein $X_1$, $X_2$, $X_3$ and $X_4$ each represent a cysteine or a histidine residue;

a metal for complexing to the zinc finger peptide, wherein the metal is a radionuclide selected from the group consisting of $^{62}Cu$, $^{64}Cu$, $^{67}Cu$,

$^{97}$Ru, $^{105}$Rh, $^{109}$Pd, $^{111}$In, $^{186}$Re, $^{188}$Re, $^{198}$Au, $^{199}$Au, $^{203}$Pb, $^{211}$Pb, $^{212}$Bi and $^{99m}$Tc; and

a reducing agent for reducing the zinc finger peptide to prepare the zinc finger peptide for complexing with [a radiometal] the metal to form a metal-peptide complex having a tertiary structure [enabling] and wherein said metal-peptide complex [to] can bind to a mammalian nucleic acid.

25. (Once Amended) The kit of claim [24] 21 wherein the reducing agent comprises an amount of stannous ion in the form of stannous glucoheptonate, stannous gluconate, stannous phosphonate, stannous chloride[, and] or stannous fluoride.